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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/824,464	HORA ET AL.
	Examiner	Art Unit	
	Jaime M. Holliday	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>04 August 2006</u>.

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-26</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-26</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

Response to Amendment

Response to Arguments

1.   Applicant's arguments filed August 4, 2006, with regards to claims 1-11, 13-15,

17-21 and 23-25 have been fully considered but they are not persuasive.

Applicants basically argue that Waesterlid differs from the claimed invention,

wherein "member information is extracted from received mail from existing members,

and used to assemble a member list in a newly joined member's terminal device," and

that Waesterlid does not teach or suggest generating a member list in a terminal device

based on member information extracted from received contact mail. Examiner would

like to refer to the previous Office Action (see page 4), wherein Waesterlid discloses

that the membership request message contains data corresponding to each member of

the affinity group. When a prospective member accepts a request for membership

message, the client application on the new member's communication device creates an

affinity group database and stores it in memory. Also, Waesterlid discloses that the

communication devices may be peers, who communicate directly, (page 11 lines 1-14).

Applicants basically argue that Examiner would like to refer to the previous Office

Action (see page 4), wherein Eiden et al. is used to overcome this limitation.

Applicants basically argue that it would not have been obvious to combine

Waesterlid and Eiden et al. Examiner respectfully, because as admitted by Applicants,

Eiden et al. is directed to a peer-to-peer system, and Waesterlid may also be

implemented in a peer-to-peer system. Waesterlid disclose that in an alternative

approach, called the direct messaging or peer-to-peer approach, each communication

device is a peer and communicates with the other peers in the group, and there is no

centralized server or database, (page 11 lines 1-14).

Therefore, in view of the above arguments, Examiner maintains previous

rejections.

2.   Applicant's arguments, see "REMARKS", filed August 4, 2006, with respect to the

rejection(s) of claim(s) 12, 16, 22 and 26 under U.S.C. 102 (b) have been fully

considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made in view of

Forsyth (U.S. Patent # 7,047,030 B2).

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4.   **Claims 11, 15, 21 and 25** are rejected under 35 U.S.C. 102(b) as being

anticipated by over **Waesterlid (WO 01/65807 A2)**.

Consider **claim 11**, Waesterlid clearly shows and discloses a

connectionless status reporting method that allows members of an affinity group

to send status information to and receive status information from other members

of the affinity group, which is well-suited for mobile communication networks,

wherein each member of the affinity group is provided with a communication

device. Each communication device includes a memory for storing memory

status information, reading on the claimed "mail exchange terminal device for

exchanging mail with other mail exchange terminal devices via a communications

network, comprising a member information storage that stores member

information of a member, who belongs to a group for exchanging mail," (pg. 2

lines 15-29).

A first user sends a membership request message to one or more

prospective members whom the first user would like to join the affinity group (pg.

12 lines 18-21). The membership request message contains data corresponding

to each member of the affinity group, and when the prospective member accepts

the request for membership message, the client application on the new

member's communication device creates an affinity group database and stores it

in memory, reading on the claimed "invitation mail receiver that receives invite

mail for inviting participation in a group for exchanging mail that is already formed

by a user of a specific mail exchange terminal device via said communications

network," (pg. 13 lines 3-4, lines 20-22). Recipients of the membership request

can reply to the invitation by sending a membership reply message either

accepting or declining the invitation to join the affinity group. Those accepting

the invitation are added to the group along with the group administrator, reading

on the claimed "mail transmitter that transmits participation mail, including self-

member information of a newly joining member, to the specific mail exchange

terminal device via said communications network at the time of joining the group

in response to participation invited by the received invite mail," (pg. 11 lines 20-

23). New members also receive a group update message that contains

information concerning the existing members and their current status, reading on

the claimed "existing member information mail receiver that receives contact mail

including member information of other existing members, which is transmitted

from the mail exchange terminal devices of other existing members via said

communications network m response to the participation mail transmitted to said

mail exchange terminal device of the specific member," (pg. 11 lines 26-28). The

membership request message contains data corresponding to each member of

the affinity group. When a prospective member accepts a request for

membership message, the client application on the new member's

communication device creates an affinity group database and stores it in

memory, reading on the claimed "member information generator that generates

in a member information storage a member list that stores member information of

a member, who belongs to the group, based on the received invite mail and the

received contact mail, wherein an entry in the member list is generated from

member information extracted from the received contact mail," (pg. 13 lines 3-4,

lines 20-22).

Consider **claims 15, 21 and 25**, Waesterlid clearly shows and discloses a

connectionless status reporting method that allows members of an affinity group

to send status information to and receive status information from other members

of the affinity group, which is well-suited for mobile communication networks,

wherein each member of the affinity group is provided with a communication

device. Each communication device includes program memory **112** and a

microprocessor **110**, wherein the microprocessor controls the operation of the

device according to the instructions stored in the memory, reading on the claimed

"mail exchange terminal device for exchanging mail with other mail exchange

terminal devices via a communications network, comprising a memory that stores

a program and data, a processor that executes said program, and a

communications device that communicates with other mail exchange terminal

devices, wherein said program stored in memory causes said processor to

execute storing member information of existing members, who belong to a group

for exchanging mail, in said memory in advance; computer-readable storage

medium on which a program to be executed by each mail exchange terminal is

recorded; and a carrier wave having a program data signal," (fig. 2, pg. 2 lines

15-29, pg. 7 lines 17-28).

A first user sends a membership request message to one or more

prospective members whom the first user would like to join the affinity group (pg.

12 lines 18-21). The membership request message contains data corresponding

to each member of the affinity group, and when the prospective member accepts

the request for membership message, the client application on the new

member's communication device creates an affinity group database and stores it

in memory, reading on the claimed "causing the communications device to receive an invitation mail inviting participation in a group, which is already formed by users of other mail exchange terminal devices, from a mail exchange terminal device of a specific member via said communications network," (pg. 13 lines 3-4, lines 20-22).

Recipients of a membership request, sent by a first user or group administrator, can reply to the invitation by sending a membership reply message either accepting or declining the invitation to join the affinity group. Those accepting the invitation are added to the group along with the group administrator, reading on the claimed "causing the communications device to transmit participation mail, including self-member information of a newly joining member, to the mail exchange terminal device of the specific member via the communications network at the time of joining the group where participation was invited by the received invitation mail," (pg. 11 lines 20-23). New members also receive a group update message that contains information concerning the existing members and their current status, reading on the claimed "causing the communications device to receive contact mail, which is transmitted from the mail exchange terminal devices of other existing members via said communications network in response to the mail transmitted to said mail exchange terminal device of the specific member, and includes member information of an existing member," (pg. 11 lines 26-28). The membership request message contains data corresponding to each member of the affinity

group. When a prospective member accepts a request for membership

message, the client application on the new member's communication device

creates an affinity group database and stores it in memory, reading on the

claimed "storing member information of members, who belong to the group, in

said memory based on the received invitation mail and the received contact mail,

by extracting member information from the received contact mail and generating

an entry in a memory list for a member corresponding to the extracted member

information," (pg. 13 lines 3-4, lines 20-22).

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6.   The factual inquiries set forth in *Graham* v. *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

    1.   Determining the scope and contents of the prior art.
    2.   Ascertaining the differences between the prior art and the claims at issue.
    3.   Resolving the level of ordinary skill in the pertinent art.
    4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

7.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

8.   **Claims 1-6, 8-10, 13, 14, 17-20, 23 and 24** are rejected under 35 U.S.C. 103(a)

as being unpatentable over **Waesterlid (WO 01/65807 A2)** in view of **Eiden et al. (Pub

U.S. 2002/0168992 A1)**.

Consider **claim 1**, Waesterlid clearly shows and discloses a

connectionless status reporting method that allows members of an affinity group

to send status information to and receive status information from other members

of the affinity group, which is well-suited for mobile communication networks,

wherein each member of the affinity group is provided with a communication

device. Each communication device includes a memory for storing memory

status information, reading on the claimed "A mail exchange system comprising:

a plurality of terminal devices connected to one another via a communications

network, each terminal device having a member information storage that stores

member information of members who belong to a group that exchange mail via

said communications network, the plurality of the terminal devices comprising a

specific member terminal, an existing member terminal, and a newly joining

member terminal," (pg. 2 lines 15-29).

The user creating the affinity group, reading on the claimed "specific

member terminal," becomes the owner of the group and is referred to as the

group administrator, who also sends a membership request message inviting one

or more other users to join the affinity group. Recipients of the membership

request can reply to the invitation by sending a membership reply message either

accepting or declining the invitation to join the affinity group, reading on the

claimed "participation mail receiver that receives a participation mail, including

member information of a member who newly joins the group, from said newly

joining member terminal via said communications network," (pg. 11 lines 17-22).

After joining the affinity group, each existing member receives a group update

message from the group administrator containing names of the other members to

the affinity group, reading on the claimed "new member information mail

transmitter that transmits a new member mail, including the member information

of the newly joining member, to said existing member terminal according to

information stored in said member information storage via said communications

network," (pg. 11 lines 23-25).

Each existing member receives a group update message that contains a

list of all members of the group, including the newly added member, reading on

the claimed "existing member terminal including a new member information mail

receiver that receives the new member mail," (pg. 11 lines 23-25, pg. 14 lines 3-5).

Recipients of the membership request can reply to the invitation by sending a membership reply message either accepting or declining the invitation to join the affinity group. Those accepting the invitation are added to the group along with the group administrator, reading on the claimed "newly joining member terminal including a new participation mail transmitter that transmits the new member mail, including self-member information of the newly joining member, to said specific member terminal via said communications network," (pg. 11 lines 20-23). New members also receive a group update message that contains information concerning the existing members and their current status. In the direct messaging or peer-to-peer approach, messages are sent as datagrams. For example, when the status of a member changes, the peer sends a Status Update to every other peer in the affinity group, reading on the claimed "existing member information mail receiver that receives the existing member mail from a plurality of existing member terminals," (fig. 5, pg. 11 lines 1-14, 26-28). The membership request message contains data corresponding to each member of the affinity group. When a prospective member accepts a request for membership message, the client application on the new member's communication device creates an affinity group database and stores it in memory, reading on the claimed "member information generator that generates a member list stored in the member information storage by extracting the self-

member information from the received existing member mail from the plurality of

existing member terminals," (pg. 13 lines 3-4, lines 20-22).

However, Waesterlid fails to specifically disclose that the group member

and current members extract the newly joined members information.

In the same field of endeavor, Eiden et al. clearly show and disclose a

method and apparatus for joining a communication group between users of

wireless communication devices, comprising at least two users (**302, 305**) of

communication devices who are members of said group and capable of

communicating with each other through communication devices, and at least one

communication device user (**301**) not belonging to said group, who is capable of

communicating with at least one member (**305**) of the communication group

through a communication device, reading on the claimed "mail exchange system

comprising a plurality of terminal devices connected to one another via a

communications network, the plurality of the terminal devices comprising a

specific member terminal, an existing member terminal, and a newly joining

member terminal," (abstract, fig. 3a). A potential new member, i.e. applicant,

reading on the claimed "newly joining member," applies for membership from an

existing member of said group. This can be done in such a manner, for instance,

that the applicant creates by means of a communication application of his

communication device an apply message and transmits said apply message by

his communication device to a member of the group, preferably to all the group

members that are within the range of the communication device of the applicant.

The apply message comprises a request for membership in said group. The apply message also comprises at least one of the following identifiers: an identifier associated with the applicant, an identifier associated with the applicant's communication device, or both the above-mentioned identifiers (paragraphs 22 and 23). When there is a membership request, the group member forms a decision on whether the applicant is suitable to be a member of the group on the basis of the information, and if the member considers the applicant suitable to be a member of the group, the member votes for the membership of the applicant and transmits his reply as feedback information to the applicant and stores the received information of the applicant in his communication device, for instance in a database register, such as a group information matrix, reading on the claimed "specific member terminal includes a first member information adder that extracts the member information included in the participation mail received by said participation mail receiver and stores the extracted member information in the member information storage; and said existing member terminal including a second member information adder that extracts the member information included in the received new member mail and stores the extracted member information in a member list in the member information storage," (paragraph 27). In FIG. 3c, E now knows that he is a member of the group, he can inform the group members of his new membership and ask a member within the range of his communication device, in this case B, information on the group and the other members of the group. When Member B

receives information that E has become a member and the request for

information related to the group, information on E's membership is updated in B's

communication device. B sends the information to E (reference 317), which

information can comprise for instance a welcome note to the new member,

information on internal matters of the group, members or how the group works,

reading on the claimed "existing member terminal includes a self-information mail

transmitter that transmits an existing member mail, including self-member

information, to said newly joining member terminal via said communications

network," (paragraph 35).

Therefore, it would have been obvious to a person of ordinary skill in the

art at the time the invention was made to allow wireless communication devices

in the group to receive and store information on new members, and send their

information in return as taught by Eiden et al., in the communication method of

Waesterlid, in order to allow users to communicate in a group with other member

wireless communication devices.

Consider **claim 2**, Waesterlid, as modified by Eiden et al., clearly shows

and discloses the claimed invention **as applied to claim 1 above**, and in

addition Waesterlid further discloses a member of the affinity group can withdraw

from the group by sending a resignation message to the group administrator.

Receipt of a resignation message by the group administrator spawns a Group

Update message deleting the resigning member from the group, reading on the

claimed "terminal devices further comprise a withdrawal mail transmitter that

transmits withdrawal mail, including information of withdrawal from the group, to

said terminal devices of all members in a member list stored in said member

information storage; a withdrawal mail receiver that receives the withdrawal mail,

including the information of a withdrawing member, transmitted from said

withdrawal mail transmitter of the terminal device of a withdrawing member; and

a member information deleter that deletes the member information of the

withdrawing member from the member list in the mail member information

storage," (pg. 12 lines 4).

Consider **claim 3**, Waesterlid, as modified by Eiden et al., clearly shows

and discloses the claimed invention **as applied to claim 1 above**, and in

addition Waesterlid further discloses that a first user sends a membership

request message to one or more prospective members whom the first user would

like to join the affinity group, reading on the claimed "specific member terminal

further includes an invitation mail transmitter that transmits invite mail, including

information for inviting participation in the group and self-member information, to

said newly joining member terminal via said communications network," (pg. 12

lines 18-21). The membership request message contains data corresponding to

each member of the affinity group, and when the prospective member accepts

the request for membership message, the client application on the new

member's communication device creates an affinity group database and stores it

in memory, reading on the claimed "newly joining member terminal further

includes an invitation mail receiver that receives the invite mail; and wherein said

member information generator further generates the list in the member

information storage based on the received invite mail," (pg. 13 lines 3-4, lines 20-

22).

Consider **claim 4**, Waesterlid, as modified by Eiden et al., clearly shows

and discloses the claimed invention **as applied to claim 1 above**, and in

addition Eiden et al. further discloses that the applicant receives the feedback of

the group member, i.e. feedback information that can for instance comprise a

decision accepting or rejecting the membership. The feedback can also comprise

at least one of the following identifiers: an identifier associated with the sender of

the feedback, i.e. group member, an identifier associated with the communication

device of the sender of the feedback, or both above-mentioned identifiers,

reading on the claimed "specific member terminal further includes a second self-

information mail transmitter that transmits specific member mail, including self-

member information, to said newly joining member terminal in response to the

participation mail received by said participation mail receiver, wherein said newly

joining member terminal further includes a specific member information mail

receiver that receives the specific member mail, including the self-member

information of the specific member," (paragraph 24). A wireless communication

device **410** comprises memory **416** for executing the functions of the

communication device, and a communication application that can further

comprise one or more applications **417**, such as an application for creating an

apply message and applying for membership. A database **421** comprises

information, such as the group information matrix that comprises information like name, address and the like on the group members. In addition, the database comprises information on the member's properties, the member's device ID, the applicant's profile and properties, and information on transmitted and received messages. The database, which comprises a structural database and a message database, has a storage space for all structural information related to the group and for messages and user information, reading on the claimed "wherein said member information generator generates the member list stored in the member information storage based on the specific member mail received by said specific member information mail receiver," (paragraph 37 and 45).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to allow a wireless communication device to send their information to a newly joined member, and have their member save their information as taught by Eiden et al., in the communication method of Waesterlid, in order to allow users to communicate in a group with other member wireless communication devices.

Consider **claim 5**, Waesterlid, as modified by Eiden et al., clearly shows and discloses the claimed invention **as applied to claim 1 above**, and in addition Waesterlid further discloses that a group update message is sent to a messaging server and then forwarded to each member of the affinity group. The group update message contains a list of all members of the group, including the newly added member. When the group update message is received by each

member, the client application on the member's communication device takes

appropriate action to add, delete or modify member records in the corresponding

group database, reading on the claimed "group information indicating the group

exchanging the mail is added to the mail to be exchanged among said terminal

devices of the members who belong to the group; and wherein the member list in

the member information storage stores member information of members, who

belong to the group," (pg. 14 lines 2-14).

Consider **claim 6**, Waesterlid, as modified by Eiden et al., clearly shows

and discloses the claimed invention **as applied to claim 5 above**, and in

addition Waesterlid further discloses that the membership request message

contains data corresponding to each member of the affinity group, wherein the

member data may include, for example, the name, address, telephone number,

and current status of each member. Only the group administrator can send a

membership request message. The invitation to join an affinity group may be

time limited. The time period may remain open for a predetermined time period

that is set by default or for a time period that is specified by the group

administrator in the membership request message, reading on the claimed "user

information that uniquely specifies each user is allocated to each of said terminal

devices; and wherein the group information includes user information of the

terminal device of a member who forms the group, and a time when said group is

formed," (pg.12 line 28- pg. 13 line 7).

Consider **claim 8**, Waesterlid clearly shows and discloses a

connectionless status reporting method that allows members of an affinity group

to send status information to and receive status information from other members

of the affinity group, which is well-suited for mobile communication networks,

wherein each member of the affinity group is provided with a communication

device. Each communication device includes a memory for storing memory

status information, reading on the claimed "mail exchange terminal device for

exchanging mail with other mail exchange terminal devices via a communications

network, comprising a member information storage that stores member

information of a member, who belongs to a group exchanging mail," (pg. 2 lines

15-29).

Each existing member receives a group update message that contains a

list of all members of the group, including the newly added member, reading on

the claimed "mail receiver that receives new member mail, including member

information of a member who newly joins the group, from another mail exchange

terminal device via said communications network," (pg. 11 lines 23-25, pg. 14

lines 3-5).

New members also receive a group update message that contains

information concerning the existing members and their current status. In the

direct messaging or peer-to-peer approach, messages are sent as datagrams.

For example, when the status of a member changes, the peer sends a Status

Update to every other peer in the affinity group. The membership request

message contains data corresponding to each member of the affinity group.

When a prospective member accepts a request for membership message, the

client application on the new member's communication device creates an affinity

group database and stores it in memory, reading on the claimed "whereby said

mail exchange terminal device of the newly joining member generates entries in

a member list by extracting the self-member information from the contact mail

from a plurality of mail exchange terminal devices of existing members," (fig. 5,

pg. 11 lines 1-14, 26-28, pg. 13 lines 3-4, lines 20-22).

However, Waesterlid fails to specifically disclose that the current members

extract the newly joined members information.

In the same field of endeavor, Eiden et al. clearly show and disclose a

method and apparatus for joining a communication group between users of

wireless communication devices, comprising at least two users (**302**, **305**) of

communication devices who are members of said group and capable of

communicating with each other through communication devices, and at least one

communication device user (**301**) not belonging to said group, who is capable of

communicating with at least one member (**305**) of the communication group

through a communication device, reading on the claimed "mail exchange terminal

device for exchanging mail with other mail exchange terminal devices via a

communications network," (abstract, fig. 3a). A potential new member, i.e.

applicant, reading on the claimed "newly joining member," applies for

membership from an existing member of said group by transmitting an apply

message to a member of the group. The apply message comprises a request for

membership in said group. The apply message also comprises at least one of the

following identifiers: an identifier associated with the applicant, an identifier

associated with the applicant's communication device, or both the above-

mentioned identifiers (paragraphs 22 and 23). When there is a membership

request, the group member forms a decision on whether the applicant is suitable

to be a member of the group on the basis of the information, and if the member

considers the applicant suitable to be a member of the group, the member votes

for the membership of the applicant and transmits his reply as feedback

information to the applicant and stores the received information of the applicant

in his communication device, for instance in a database register, such as a group

information matrix, reading on the claimed "member information adder that

extracts the member information included in the received new member mail and

stores the extracted member information in a member list stored in the member

information storage," (paragraph 27). In FIG. 3c, E now knows that he is a

member of the group, he can inform the group members of his new membership

and ask a member within the range of his communication device, in this case B,

information on the group and the other members of the group. When Member B

receives information that E has become a member and the request for

information related to the group, information on E's membership is updated in B's

communication device. B sends the information to E (reference 317), which

information can comprise for instance a welcome note to the new member,

information on internal matters of the group, members or how the group works,

reading on the claimed "mail transmitter that transmits contact mail, including

self-member information to said mail exchange terminal device of the newly

joining member via said communications network," (paragraph 35).

Therefore, it would have been obvious to a person of ordinary skill in the

art at the time the invention was made to allow wireless communication devices

in the group to receive and store information on new members, and send their

information in return as taught by Eiden et al., in the communication method of

Waesterlid, in order to allow users to communicate in a group with other member

wireless communication devices.

Consider **claim 9**, Waesterlid, as modified by Eiden et al., clearly shows

and discloses the claimed invention **as applied to claim 8 above**, and in

addition Waesterlid further discloses that the user creating the affinity group,

reading on the claimed "specific member terminal," becomes the owner of the

group and is referred to as the group administrator, who also sends a

membership request message inviting one or more other users to join the affinity

group. After joining the affinity group, each existing member receives a group

update message from the group administrator containing names of the other

members to the affinity group, reading on the claimed "the received new member

mail is transmitted from said mail exchange terminal device of a specific member,

who already belongs to the group, to terminals of other members according to

the list stored in the member information storage," (pg. 11 lines 23-25).

Consider **claim 10**, Waesterlid clearly shows and discloses a

connectionless status reporting method that allows members of an affinity group

to send status information to and receive status information from other members

of the affinity group, which is well-suited for mobile communication networks,

wherein each member of the affinity group is provided with a communication

device. Each communication device includes a memory for storing memory

status information, reading on the claimed "mail exchange terminal device for

exchanging mail with other mail exchange terminal devices via a communications

network, comprising a member information storage that stores member

information of a member, who belongs to a group for exchanging mail," (pg. 2

lines 15-29).

The user creating the affinity group, reading on the claimed "specific

member terminal," becomes the owner of the group and is referred to as the

group administrator, who also sends a membership request message inviting one

or more other users to join the affinity group. Recipients of the membership

request can reply to the invitation by sending a membership reply message either

accepting or declining the invitation to join the affinity group, reading on the

claimed "mail receiver that receives participation mail, including member

information of a member, who newly joins in the group, from a mail exchange

terminal device of the newly joining member via said communications network,"

(pg. 11 lines 17-22). After joining the affinity group, each existing member

receives a group update message from the group administrator containing

names of the other members to the affinity group, reading on the claimed "mail

transmitter that transmits new member mail including the member information of

the newly joining member to terminal devices of other existing members

according to the list stored in the member information storage via said

communications network," (pg. 11 lines 23-25).

New members also receive a group update message that contains

information concerning the existing members and their current status. In the

direct messaging or peer-to-peer approach, messages are sent as datagrams.

For example, when the status of a member changes, the peer sends a Status

Update to every other peer in the affinity group. The membership request

message contains data corresponding to each member of the affinity group.

When a prospective member accepts a request for membership message, the

client application on the new member's communication device creates an affinity

group database and stores it in memory, reading on the claimed "wherein the

other existing members transmit contact mail, including member information, to

the terminal device of the newly joining member so that the newly joining

member generates an entry in a member list by extracting the member

information from the contact mail of the other existing members," (fig. 5, pg. 11

lines 1-14, 26-28, pg. 13 lines 3-4, lines 20-22).

However, Waesterlid fails to specifically disclose that the group member

extract the newly joined members information.

In the same field of endeavor, Eiden et al. clearly show and disclose a

method and apparatus for joining a communication group between users of

wireless communication devices, comprising at least two users (**302, 305**) of

communication devices who are members of said group and capable of

communicating with each other through communication devices, and at least one

communication device user (**301**) not belonging to said group, who is capable of

communicating with at least one member (**305**) of the communication group

through a communication device, reading on the claimed "mail exchange terminal

device for exchanging mail with other mail exchange terminal devices via a

communications network," (abstract, fig. 3a). A potential new member, i.e.

applicant, reading on the claimed "newly joining member," applies for

membership from an existing member of said group. This can be done in such a

manner, for instance, that the applicant creates by means of a communication

application of his communication device an apply message and transmits said

apply message by his communication device to a member of the group,

preferably to all the group members that are within the range of the

communication device of the applicant. The apply message comprises a request

for membership in said group. The apply message also comprises at least one of

the following identifiers: an identifier associated with the applicant, an identifier

associated with the applicant's communication device, or both the above-

mentioned identifiers (paragraphs 22 and 23). When there is a membership

request, the group member forms a decision on whether the applicant is suitable

to be a member of the group on the basis of the information, and if the member

considers the applicant suitable to be a member of the group, the member votes

for the membership of the applicant and transmits his reply as feedback

information to the applicant and stores the received information of the applicant

in his communication device, for instance in a database register, such as a group

information matrix, reading on the claimed "member information adder that

extracts the member information included in the received mail and stores the

extracted member information in a member list stored in the member information

storage," (paragraph 27).

Therefore, it would have been obvious to a person of ordinary skill in the

art at the time the invention was made to allow wireless communication devices

in the group to receive and store information on new members, and send their

information in return as taught by Eiden et al., in the communication method of

Waesterlid, in order to allow users to communicate in a group with other member

wireless communication devices.

Consider **claims 13, 19 and 23**, Waesterlid clearly shows and discloses a

connectionless status reporting method that allows members of an affinity group

to send status information to and receive status information from other members

of the affinity group, which is well-suited for mobile communication networks,

wherein each member of the affinity group is provided with a communication

device. Each communication device includes program memory **112** and a

microprocessor **110**, wherein the microprocessor controls the operation of the

device according to the instructions stored in the memory, reading on the claimed

"mail exchange terminal device for exchanging mail with other mail exchange

terminal devices via a communications network, comprising a memory that stores

a program and data, a processor that executes said program, and a

communications device that communicates with other mail exchange terminal

devices, wherein said program stored in memory causes said processor to

execute storing member information of existing members, who belong to a group

for exchanging mail, in said memory in advance; computer-readable storage

medium on which a program to be executed by each mail exchange terminal is

recorded; and a carrier wave having a program data signal," (fig. 2, pg. 2 lines

15-29, pg. 7 lines 17-28).

Each existing member receives a group update message that contains a

list of all members of the group, including the newly added member, reading on

the claimed "causing said communications device to receive a contact mail

including member information of a member, who newly joins the group, from

another mail exchange terminal device via the communications network," (pg. 11

lines 23-25, pg. 14 lines 3-5).

A first user sends a membership request message to one or more

prospective members whom the first user would like to join the affinity group,

reading on the claimed "causing said communications device to transmit invite

mail including self-member information to said mail exchange terminal device of

the newly joining member via said communications network," (pg. 12 lines 18-

21).

New members also receive a group update message that contains

information concerning the existing members and their current status. In the

direct messaging or peer-to-peer approach, messages are sent as datagrams.

For example, when the status of a member changes, the peer sends a Status

Update to every other peer in the affinity group. The membership request

message contains data corresponding to each member of the affinity group.

When a prospective member accepts a request for membership message, the

client application on the new member's communication device creates an affinity

group database and stores it in memory, reading on the claimed "whereby said

mail exchange terminal device of the newly joining member generates entries in

a member list by extracting the self-member information from the contact mail

from a plurality of mail exchange terminal devices of existing members," (fig. 5,

pg. 11 lines 1-14, 26-28, pg. 13 lines 3-4, lines 20-22).

However, Waesterlid fails to specifically disclose that the group member

and current members extract the newly joined members information.

In the same field of endeavor, Eiden et al. clearly show and disclose a

method and apparatus for joining a communication group between users of

wireless communication devices, comprising at least two users (302, 305) of

communication devices who are members of said group and capable of

communicating with each other through communication devices, and at least one

communication device user (**301**) not belonging to said group, who is capable of

communicating with at least one member (**305**) of the communication group

through a communication device, reading on the claimed "mail exchange terminal

device for exchanging terminal devices via a communications network," (abstract,

fig. 3a). A potential new member, i.e. applicant, reading on the claimed "newly

joining member," applies for membership from an existing member of said group

by transmitting said apply message by his communication device to a member of

the group, preferably to all the group members that are within the range of the

communication device of the applicant. The apply message comprises a request

for membership in said group. The apply message also comprises at least one of

the following identifiers: an identifier associated with the applicant, an identifier

associated with the applicant's communication device, or both the above-

mentioned identifiers (paragraphs 22 and 23). When there is a membership

request, the group member forms a decision on whether the applicant is suitable

to be a member of the group on the basis of the information, and if the member

considers the applicant suitable to be a member of the group, the member votes

for the membership of the applicant and transmits his reply as feedback

information to the applicant and stores the received information of the applicant

in his communication device, for instance in a database register, such as a group

information matrix, reading on the claimed "extracting the member information

included in the received contact mail and storing the extracted member

information to said memory," (paragraph 27).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to allow wireless communication devices in the group to receive and store information on new members, and send their information in return as taught by Eiden et al., in the communication method of Waesterlid, in order to allow users to communicate in a group with other member wireless communication devices.

Consider **claims 14, 20 and 24**, Waesterlid clearly shows and discloses a connectionless status reporting method that allows members of an affinity group to send status information to and receive status information from other members of the affinity group, which is well-suited for mobile communication networks, wherein each member of the affinity group is provided with a communication device. Each communication device includes program memory **112** and a microprocessor **110**, wherein the microprocessor controls the operation of the device according to the instructions stored in the memory, reading on the claimed "mail exchange terminal device for exchanging mail with other mail exchange terminal devices via a communications network, comprising a memory that stores a program and data, a processor that executes said program, and a communications device that communicates with other mail exchange terminal devices, wherein said program stored in memory causes said processor to execute storing member information of existing members, who belong to a group for exchanging mail, in said memory in advance; computer-readable storage medium on which a program to be executed by each mail exchange terminal is

recorded; and a carrier wave having a program data signal," (fig. 2, pg. 2 lines

15-29, pg. 7 lines 17-28).

Each existing member receives a group update message that contains a

list of all members of the group, including the newly added member, reading on

the claimed "causing said communications device to receive a contact mail

including member information of a member, who newly joins the group, from

another mail exchange terminal device via the communications network," (pg. 11

lines 23-25, pg. 14 lines 3-5). The user creating the affinity group becomes the

owner of the group and is referred to as the group administrator, who also sends

a membership request message inviting one or more other users to join the

affinity group. After joining the affinity group, each existing member receives a

group update message from the group administrator containing names of the

other members to the affinity group, reading on the claimed "causing said

communications device to transmit new member mail, including the member

information of the newly joining member, to said mail exchange terminal device

of the existing member via said communications network," (pg. 11 lines 17-25).

New members also receive a group update message that contains

information concerning the existing members and their current status. In the

direct messaging or peer-to-peer approach, messages are sent as datagrams.

For example, when the status of a member changes, the peer sends a Status

Update to every other peer in the affinity group. The membership request

message contains data corresponding to each member of the affinity group.

When a prospective member accepts a request for membership message, the client application on the new member's communication device creates an affinity group database and stores it in memory, reading on the claimed "whereby said mail exchange terminal device of the newly joining member generates entries in a member list by extracting the self-member information from the contact mail from a plurality of mail exchange terminal devices of existing members," (fig. 5, pg. 11 lines 1-14, 26-28, pg. 13 lines 3-4, lines 20-22).

However, Waesterlid fails to specifically disclose that the group member and current members extract the newly joined members information.

In the same field of endeavor, Eiden et al. clearly show and disclose a method and apparatus for joining a communication group between users of wireless communication devices, comprising at least two users (**302, 305**) of communication devices who are members of said group and capable of communicating with each other through communication devices, and at least one communication device user (**301**) not belonging to said group, who is capable of communicating with at least one member (**305**) of the communication group through a communication device, reading on the claimed "mail exchange terminal device for exchanging terminal devices via a communications network," (abstract, fig. 3a). A potential new member, i.e. applicant, reading on the claimed "newly joining member," applies for membership from an existing member of said group by transmitting said apply message by his communication device to a member of the group, preferably to all the group members that are within the range of the

communication device of the applicant. The apply message comprises a request

for membership in said group. The apply message also comprises at least one of

the following identifiers: an identifier associated with the applicant, an identifier

associated with the applicant's communication device, or both the above-

mentioned identifiers (paragraphs 22 and 23). When there is a membership

request, the group member forms a decision on whether the applicant is suitable

to be a member of the group on the basis of the information, and if the member

considers the applicant suitable to be a member of the group, the member votes

for the membership of the applicant and transmits his reply as feedback

information to the applicant and stores the received information of the applicant

in his communication device, for instance in a database register, such as a group

information matrix, reading on the claimed "extracting the member information

included in the received contact mail and storing the extracted member

information to said memory," (paragraph 27).

Therefore, it would have been obvious to a person of ordinary skill in the

art at the time the invention was made to allow wireless communication devices

in the group to receive and store information on new members, and send their

information in return as taught by Eiden et al., in the communication method of

Waesterlid, in order to allow users to communicate in a group with other member

wireless communication devices.

Consider **claim 17**, Waesterlid clearly shows and discloses a

connectionless status reporting method that allows members of an affinity group

to send status information to and receive status information from other members of the affinity group, which is well-suited for mobile communication networks, wherein each member of the affinity group is provided with a communication device. Each communication device includes a memory for storing memory status information, reading on the claimed "method for exchanging mail among terminal devices connected to one another via a communications network, each terminal device having a member information storage that stores member information of members who belong to a group for exchanging mail," (pg. 2 lines 15-29), comprising:

recipients of the membership request replying to the invitation by sending a membership reply message either accepting or declining the invitation to join the affinity group. Those accepting the invitation are added to the group along with the group administrator, reading on the claimed "transmitting participation mail, including member information of a member who newly joins the group, to a terminal device of a specific member from said terminal device of the newly joining member via said communications network," (pg. 11 lines 20-23);

the user creating the affinity group, reading on the claimed "specific member terminal," becomes the owner of the group and is referred to as the group administrator, who also sends a membership request message inviting one or more other users to join the affinity group. Recipients of the membership request can reply to the invitation by sending a membership reply message either accepting or declining the invitation to join the affinity group, reading on the

claimed "receiving the participation mail at the terminal device of the specific

member," (pg. 11 lines 17-22);

after joining the affinity group, each existing member receives a group

update message from the group administrator containing names of the other

members to the affinity group, reading on the claimed "transmitting new member

mail, including the member information of the newly joining member, to terminal

devices of other existing members from said terminal device of the specific

member via said communications network according to the member information

stored in said storage of said terminal device of the specific member," (pg. 11

lines 23-25);

each existing member receives a group update message that contains a

list of all members of the group, including the newly added member, reading on

the claimed "receiving the new member mail at said terminal devices of the other

existing members," (pg. 11 lines 23-25, pg. 14 lines 3-5);

new members also receive a group update message that contains

information concerning the existing members and their current status, reading on

the claimed "receiving the contact mail at said terminal device of the new

member," (pg. 11 lines 26-28);

the membership request message contains data corresponding to each

member of the affinity group. In the direct messaging or peer-to-peer approach,

messages are sent as datagrams. For example, when the status of a member

changes, the peer sends a Status Update to every other peer in the affinity

group. When a prospective member accepts a request for membership

message, the client application on the new member's communication device

creates an affinity group database and stores it in memory, reading on the

claimed "extracting the member information of the existing members from the

received contact mail at said terminal device of the new member and storing the

extracted member information in said storage as a plurality of entries, wherein

each entry is generated in response to an individual contact mail received from

an associated individual terminal device of an existing member," (fig. 5, pg. 11

lines 1-14, pg. 13 lines 3-4, lines 20-22).

However, Waesterlid fails to specifically disclose that the group member

and current members extract the newly joined members information.

In the same field of endeavor, Eiden et al. clearly show and disclose a

method and apparatus for joining a communication group between users of

wireless communication devices, comprising at least two users (**302, 305**) of

communication devices who are members of said group and capable of

communicating with each other through communication devices, and at least one

communication device user (**301**) not belonging to said group, who is capable of

communicating with at least one member (**305**) of the communication group

through a communication device, reading on the claimed "method for exchanging

mail among terminal devices connected to one another via a communications

network, each terminal device having a member information storage that stores

member information of members who belong to a group for exchanging mail,"

(abstract, fig. 3a). A potential new member, i.e. applicant, reading on the claimed

"newly joining member," applies for membership from an existing member of said

group. This can be done in such a manner, for instance, that the applicant

creates by means of a communication application of his communication device

an apply message and transmits said apply message by his communication

device to a member of the group, preferably to all the group members that are

within the range of the communication device of the applicant. The apply

message comprises a request for membership in said group. The apply message

also comprises at least one of the following identifiers: an identifier associated

with the applicant, an identifier associated with the applicant's communication

device, or both the above-mentioned identifiers (paragraphs 22 and 23). When

there is a membership request, the group member forms a decision on whether

the applicant is suitable to be a member of the group on the basis of the

information, and if the member considers the applicant suitable to be a member

of the group, the member votes for the membership of the applicant and

transmits his reply as feedback information to the applicant and stores the

received information of the applicant in his communication device, for instance in

a database register, such as a group information matrix, reading on the claimed

"extracting the member information of the newly joining member from the

received participation mail at said terminal device of the specific member and

storing the extracted member information to said storage; and extracting the

member information of the newly joining member from the new member mail

received from said terminal devices of the specific member at said terminal device of the other existing members and storing the extracted member information in the storages of the terminal devices," (paragraph 27). In FIG. 3c, E now knows that he is a member of the group, he can inform the group members of his new membership and ask a member within the range of his communication device, in this case B, information on the group and the other members of the group. When Member B receives information that E has become a member and the request for information related to the group, information on E's membership is updated in B's communication device. B sends the information to E (reference 317), which information can comprise for instance a welcome note to the new member, information on internal matters of the group, members or how the group works, reading on the claimed "transmitting contact mail including the members information of the existing member to said terminal devices of the new members from said terminal device of the existing member via said communications network," (paragraph 35).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to allow wireless communication devices in the group to receive and store information on new members, and send their information in return as taught by Eiden et al., in the communication method of Waesterlid, in order to allow users to communicate in a group with other member wireless communication devices.

Consider **claim 18**, Waesterlid, as modified by Eiden et al., clearly shows

and discloses the claimed invention **as applied to claim 17 above**, and in

addition Waesterlid further discloses a member of the affinity group can withdraw

from the group by sending a resignation message to the group administrator.

Receipt of a resignation message by the group administrator spawns a Group

Update message deleting the resigning member from the group, reading on the

claimed "transmitting withdrawal mail including information, indicating that a

member corresponding to a terminal device is withdrawing from the group, to all

other terminal devices from the withdrawing terminal device according to the

stored member information; wherein the withdrawal mail is received at each of

the other terminal devices; and wherein the member information corresponding

to the received withdrawal mail is deleted from said member information storage

at each of the other terminal devices," (pg. 12 lines 4).

9.   **Claim 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over

Waesterlid (WO 01/65807 A2) in view of **Eiden et al. (Pub # U.S. 2002/0168992 A1)**,

and in further view of **Yeager et al. (Pub # U.S. 2003/0070070 A1)**.

Consider **claim 7**, and **as applied to claim 1 above**, Waesterlid, as

modified by Eiden et al., clearly shows and discloses the claimed invention

except that the communication devices are explicitly cellular phones.

In the same field of endeavor, Yeager et al. clearly show and disclose a

decentralized, distributed trust mechanism that may be used in various

networking platforms, including, but not limited to, peer-to-peer and other

decentralized networking platforms. The peer-to-peer platform may include a

peer membership protocol that may allow a peer to join or leave peer groups,

and to manage membership configurations, rights and responsibilities. This

protocol may allow a peer to obtain group membership requirements (such as an

understanding of the necessary credential for a successful application to join the

group), to apply for membership and receive a membership credential along with

a full group advertisement, to update an existing membership or application

credential, and to cancel a membership or an application credential. A peer may

be defined as any entity that runs some or all of one or more protocols provided

by the peer-to-peer platform core layer. As such, a peer may manifest in the form

of a processor, a process or a device. A peer may be anything with a digital

heartbeat that supports the peer-to-peer platform core, including sensors,

servers, PCs, computers up to and including supercomputers, PDAs,

manufacturing and medical equipment, phones and cellular phones, reading on

the claimed "each of the terminal devices includes a cellular phone," (paragraphs

14, 201, 334).

Therefore, it would have been obvious to a person of ordinary skill in the

art at the time the invention was made to allow a peer or communication device

to be a cellular phone as taught by Yeager et al., in the communication method of

Waesterlid, as modified by Eiden et al. in order to allow users to communicate in

a group with their peer or wireless communication devices.

10.   **Claims 12, 16, 22 and 26** are rejected under 35 U.S.C. 103(a) as being

unpatentable over **Waesterlid (WO 01/65807 A2)** in view of **Forsyth (U.S. Patent #

7,047,030 B2)**.

Consider **claim 12**, Waesterlid clearly shows and discloses a

connectionless status reporting method that allows members of an affinity group

to send status information to and receive status information from other members

of the affinity group, which is well-suited for mobile communication networks,

wherein each member of the affinity group is provided with a communication

device. Each communication device includes a memory for storing memory

status information, reading on the claimed "mail exchange terminal device for

exchanging mail with other mail exchange terminal devices via a communications

network, comprising a member information storage that stores member

information of a member, who belongs to a group for exchanging mail," (pg. 2

lines 15-29). A member of the affinity group can withdraw from the group by

sending a resignation message to the group administrator. Receipt of a

resignation message by the group administrator spawns a Group Update

message deleting the resigning member from the group, reading on the claimed

"mail transmitter that transmits mail to a mail exchange terminal device of

another member, who belongs to the group, via said communications network

according to the member information stored in said member information storage;

a withdrawal mail transmitter that transmits withdrawal mail including information

of withdrawal from the group to mail exchange terminal devices of all other

members listed in the stored member information via said communications

network; a withdrawal mail receiver that receives withdrawal mail, including

information, which indicates that another member is withdrawing from the group,

from another mail exchange terminal device via said communications network,"

(pg. 12 lines 4).

However, Waesterlid fails to specifically disclose that the resigning

member deletes member information.

In the same field of endeavor, Forsyth clearly shows and discloses a

group communication method for a wireless information device that enables

communications to be sent and received between several wireless information

devices operated by end-uses that form a group of end-users, the group being a

sub-set of the end-users for whom the device stores contact information, reading

on the claimed "mail exchange terminal device for exchanging mail with other

exchange terminal devices via a communications network," (col. 1 line 64- col. 2

line 2). An implementation of the present invention, called Forums™, is designed

specifically to allow current and very popular Internet type services (e.g.

chat/instant new between groups,) to be handle effectively between mobile

devices and to enable a new generation of group based communication services.

On occasion, users may wish to delete a Forum (stop participating and remove

from their device; unsubscribing). The user selects `delete` and the Forum no

longer appears in the application (they no longer receive any messages to do

with that Forum). Users should be able to delete Forums because they no longer

wish to participate, reading on the claimed "member information deleter that

deletes member information of all members from said member information

storage belonging to the group in response to the withdrawal mail transmitter

transmitting the withdrawal mail," (col. 2 lines 40-47, col. 6 line 63- col. 7 line 2).

Therefore, it would have been obvious to a person of ordinary skill in the

art at the time the invention was made to allow a user delete a Forum or group

form their device as taught by Forsyth, in the communication method of

Waesterlid, in order to allow users to communicate in a group with their peer or

wireless communication devices, and to stop participating.

Consider **claims 16, 22 and 26**, Waesterlid clearly shows and discloses a

connectionless status reporting method that allows members of an affinity group

to send status information to and receive status information from other members

of the affinity group, which is well-suited for mobile communication networks,

wherein each member of the affinity group is provided with a communication

device. Each communication device includes program memory **112** and a

microprocessor **110**, wherein the microprocessor controls the operation of the

device according to the instructions stored in the memory, reading on the claimed

"mail exchange terminal device for exchanging mail with other mail exchange

terminal devices via a communications network, comprising a memory that stores

a program and data, a processor that executes said program, and a

communications device that communicates with other mail exchange terminal

devices, wherein said program stored in memory causes said processor to

execute storing member information of existing members, who belong to a group

for exchanging mail, in said memory in advance; computer-readable storage

medium on which a program to be executed by each mail exchange terminal is

recorded; and a carrier wave having a program data signal," (fig. 2, pg. 2 lines

15-29, pg. 7 lines 17-28). A member of the affinity group can withdraw from the

group by sending a resignation message to the group administrator. Receipt of a

resignation message by the group administrator spawns a Group Update

message deleting the resigning member from the group, reading on the claimed

"transmitting mail to mail exchange terminal devices of other members who

belong to the group, via said communications network according to the stored

member information; causing said communications device to transmit a

withdrawal mail including information of withdrawal from the group to the mail

exchange terminal devices of all other members according to the stored member

information via said communications network; causing said communications

device to receive the withdrawal mail, including information, indicating that

another member is withdrawing from the group, from another mail exchange

terminal device via said communications network," (pg. 12 lines 4).

However, Waesterlid fails to specifically disclose that the resigning

member deletes member information.

In the same field of endeavor, Forsyth clearly shows and discloses a

group communication method for a wireless information device that enables

communications to be sent and received between several wireless information

devices operated by end-uses that form a group of end-users, the group being a

sub-set of the end-users for whom the device stores contact information, reading

on the claimed "mail exchange terminal device for exchanging mail with other

exchange terminal devices via a communications network," (col. 1 line 64- col. 2

line 2). An implementation of the present invention, called Forums™, is designed

specifically to allow current and very popular Internet type services (e.g.

chat/instant new between groups,) to be handle effectively between mobile

devices and to enable a new generation of group based communication services.

On occasion, users may wish to delete a Forum (stop participating and remove

from their device; unsubscribing). The user selects `delete` and the Forum no

longer appears in the application (they no longer receive any messages to do

with that Forum). Users should be able to delete Forums because they no longer

wish to participate, reading on the claimed "deleting member information of all

members from said member information storage belonging to the group in

response to the communications device transmitting the withdrawal mail," (col. 2

lines 40-47, col. 6 line 63- col. 7 line 2).

Therefore, it would have been obvious to a person of ordinary skill in the

art at the time the invention was made to allow a user delete a Forum or group

form their device as taught by Forsyth, in the communication method of

Waesterlid, in order to allow users to communicate in a group with their peer or

wireless communication devices, and to stop participating.

Conclusion

11.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37
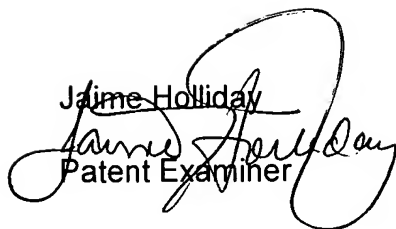
CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jaime M. Holliday whose telephone number is (571)

272-8618. The examiner can normally be reached on Monday through Friday 7:30am

to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Joseph Feild can be reached on (571) 272-4090. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jaime Holliday
Patent Examiner

JEAN GELIN
PRIMARY EXAMINER